

EXHIBIT C

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF QUEENS

-----X
RAUL GARCIA, LUIS SAPON, and SEGUNDO JULIO
SALTO, individually and on behalf of all others similarly
situated,

Index No.

Plaintiffs,

-against-

ZYARA RESTAURANT CORP.,

Defendant.
-----X

AFFIDAVIT OF JUDGMENT BY CONFESSION

STATE OF NEW YORK)
) ss:
COUNTY OF _____)

FERAS ALZUGHIER, being duly sworn, deposes and declares, upon personal knowledge and under penalty of perjury, that the following is true and correct:

1. I am individually named as a defendant and am also a principal of Zyara Restaurant Corp. (“Zyara”), a corporate defendant in the matter of *Garcia et al. v. Zyara Restaurant Corp. et al*, 1:19-cv-07208-MBK-ST, which was brought in the United States District Court for the Eastern District of New York (the “Action”). I am fully familiar with all of the facts and circumstances recited herein based on personal knowledge, and I am duly authorized to make this Affidavit of Judgment by Confession on behalf of Zyara.

2. Zyara is an active domestic business corporation located in Queens County at 25-53 Steinway Street, Astoria, New York 11103.

3. In connection with the Settlement Agreement and Release filed in the Action (the “Agreement”), which is incorporated by reference and made a part hereof, I, on behalf of

Zyara, hereby confess judgment and authorize that judgment be entered in favor of the plaintiffs, Raul Garcia, Luis Sapon, and Segundo Julio Salto (“Plaintiffs”), and against Zyara, in the amount of One Hundred Forty Thousand Dollars and Zero Cents (\$140,000.00), with interest thereon from January 4, 2021.

4. I, on behalf of Zyara, authorize entry of the aforementioned judgment in Queens County, New York.

5. The sums confessed pursuant to this Affidavit of Judgment by Confession are justly due and owing to Plaintiffs under the following circumstances:

- a. Plaintiffs and Zyara entered into the Agreement to settle Plaintiffs’ claims brought in the Action, including claims for violations of the Fair Labor Standards Act, 29 U.S.C. § 201, *et seq.* and the New York Labor Law. Under the Agreement, which settled the Action, Zyara promised to pay Plaintiffs the principal sum of Seventy Thousand Dollars and Zero Cents (\$70,000.00) over an agreed time period, set forth in Paragraph 3 of the Agreement.
- b. Zyara expressly agreed to confess a judgment of One Hundred Forty Thousand Dollars and Zero Cents (\$140,000.00), which exceeds the amount owed to Plaintiffs under the Agreement, in consideration for Plaintiffs’ agreement to file a Stipulation of Discontinuance with Prejudice in the Action prior to receiving all of the monies to which Plaintiffs were owed under the Agreement.
- c. The One Hundred Forty Thousand Dollars and Zero Cents (\$140,000.00) confessed under this Affidavit of Judgment by Confession is less than the damages to which Plaintiffs would be entitled were they to prevail on all of their claims in the Action.
- d. In order to secure Zyara’s obligations under the Agreement, Zyara agreed to

deliver this Affidavit of Judgment by Confession to counsel for Plaintiffs as part of the Agreement.

6. Zyara waives all defenses except actual payment to the entry of this judgment against Zyara in the amount of One Hundred Forty Thousand Dollars and Zero Cents (\$140,000.00), plus interest from January 4, 2021.

7. Judgment is not confessed with fraudulent intent, to protect the property of Zyara from creditors, or for the purpose of securing Plaintiffs against a contingent liability, and is not an installment loan within the prohibition of C.P.L.R. § 3201.

8. Zyara consents to the personal jurisdiction of the federal and state Courts of the State of New York over this matter.

Dated: January ___, 2021

Zyara Restaurant Corp.

By: _____
Feras Alzughier, as Principal

CORPORATE ACKNOWLEDGMENT

STATE OF NEW YORK)
) ss.:
COUNTY OF _____)

On the ____ day of January, 2021, before me personally came **Feras Alzughier**, to me known, who, by me duly sworn did depose and say that deponent is the principal of Zyara Restaurant Corp., which executed the foregoing Affidavit of Judgment By Confession, that he was authorized to execute the foregoing Affidavit of Judgment By Confession and that he executed the same pursuant to such authority.

Notary Public

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX

RAUL GARCIA, LUIS SAPON, and SEGUNDO JULIO SALTO, individually and on behalf of all others similarly situated,

Index No.

Plaintiffs,

-against-

ZYARA RESTAURANT CORP,

Defendant.

AFFIDAVIT OF JUDGMENT BY CONFESSION

[illegible]

FERAS ALZUGHIER, being duly sworn, deposes and declares, upon personal knowledge and under penalty of perjury, that the following is true and correct:

1. I am individually named as a defendant in the matter of *Garcia et al. v. Zyara Restaurant Corp. et al*, 1:19-cv-07208-MBK-ST, which was brought in the United States District Court for the Eastern District of New York (the “Action”). I am fully familiar with all of the facts and circumstances recited herein based on personal knowledge.

2. I reside in Bronx County at 790 Astor Avenue, Apt. 4B, Bronx, New York 10467.

3. In connection with the Settlement Agreement and Release filed in the Action (the “Agreement”), which is incorporated by reference and made a part hereof, I hereby confess judgment and authorize that judgment be entered in favor of the plaintiffs, Raul Garcia, Luis Sapon, and Segundo Julio Salto (“Plaintiffs”), and against me, Feras Alzughier, in the amount of

One Hundred Forty Thousand Dollars and Zero Cents (\$140,000.00), with interest thereon from January 4, 2021.

4. I authorize entry of the aforementioned judgment in Bronx County, New York.
5. The sums confessed pursuant to this Affidavit of Judgment by Confession are justly due and owing to Plaintiffs under the following circumstances:
 - a. Plaintiffs and I entered into the Agreement to settle Plaintiffs' claims brought in the Action, including claims for violations of the Fair Labor Standards Act, 29 U.S.C. § 201, *et seq.* and the New York Labor Law. Under the Agreement, which settled the Action, I promised to pay Plaintiffs the principal sum of Seventy Thousand Dollars and Zero Cents (\$70,000.00) over an agreed time period, set forth in Paragraph 3 of the Agreement.
 - b. I expressly agreed to confess a judgment of One Hundred Forty Thousand Dollars and Zero Cents (\$140,000.00), which exceeds the amount owed to Plaintiffs under the Agreement, in consideration for Plaintiffs' agreement to file a Stipulation of Discontinuance with Prejudice in the Action prior to receiving all of the monies to which Plaintiffs was owed under the Agreement.
 - c. The One Hundred Forty Thousand Dollars and Zero Cents (\$140,000.00) confessed under this Affidavit of Judgment by Confession is less than the damages to which Plaintiffs would be entitled were they to prevail on all of their claims in the Action.
 - d. In order to secure my obligations under the Agreement, I agreed to deliver this Affidavit of Judgment by Confession to counsel for Plaintiffs as part of the Agreement.
6. I waive all defenses except actual payment to the entry of this judgment against

me, Feras Alzughier, in the amount of One Hundred Forty Thousand Dollars and Zero Cents (\$140,000.00), plus interest from January 4, 2021.

7. Judgment is not confessed with fraudulent intent, to protect my property from creditors, or for the purpose of securing Plaintiffs against a contingent liability, and is not an installment loan within the prohibition of C.P.L.R. § 3201.

8. I consent to the personal jurisdiction of the federal and state Courts of the State of New York over this matter.

Dated: January ___, 2021

Feras Alzughier

ACKNOWLEDGMENT

STATE OF NEW YORK)
) ss.:
COUNTY OF _____)

On the ____ day of January, 2021, before me personally came **Feras Alzughier**, to me known, who, by me duly sworn did depose that he executed the foregoing Affidavit of Personal Judgment by Confession.

Notary Public